



## DEPARTMENT OF LAND AND NATURAL RESOURCES

### News Release

**LINDA LINGLE**  
GOVERNOR

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For Immediate Release: November 5, 2008

### **KAHANA VALLEY EVICTIONS STAYED -- Legislature asked to take up issue in January**

HONOLULU – Department of Land and Natural Resources (DLNR) Chairperson Laura H. Thielen announced today that the state will not take any action to evict the six families who are living in Kahana Valley Park without residential leases, while the 2009 Legislature considers revisions to the law to address this issue.

“We have been working with legislators, some Kahana Valley residents and a member of the original park planning group to identify solutions that would meet the needs of the six families,” said Laura Thielen.

DLNR had offered to relocate all six families to the residential area of the park. This offer was refused.

“Although we could not resolve this issue with the six families, we are encouraged it will be addressed during the 2009 legislative session,” said Thielen, “We trust the Legislature will continue to respect the basic foundation of the public’s right to access state parks, keep residential areas separated from the public areas and make Kahana Valley a public park that welcomes and enriches all residents and visitors of Hawai’i,” Thielen added.

#### **Background on Kahana Valley Living Park**

Kahana Valley was purchased by the State for the purpose of creating a state park in 1970. Multiple working groups and residents developed the “living park” concept where families living in the valley could be given long-term residential leases in exchange for providing interpretive services.

The Legislature enacted the plan into law in 1987 authorizing DLNR to issue residential leases to the original 31 families. The Legislature noted in its committee report that all participants

understood that the residents would have to relocate in the valley to respect the public park purpose and the public's right to access the park.

The Legislature prohibited the creation of any more subdivisions in the state park, but did allow lessees to pass their lease to a successor. Twenty-two descendants and relatives of the original families honored the agreement and moved out of the valley, but have asked the state to allow them to return in case a vacancy occurs.

Six families without leases stayed in the front entrance of the park while legislators tried three times to amend the law to authorize more lease lots in the designated subdivisions in the valley. Although DLNR planned to open the front of the park to welcome the public, the department allowed the families to remain at the entrance for four years while the Legislature considered amending the law.

In 2005, 2007 and 2008 the Legislature rejected approving more residential development in 'Ahupua'a 'O Kahana State Park. At that point it was clear DLNR needed to follow the law set by the Legislature and provide the public access to the state park.

DLNR recognized the six families needed time to move, and began working with the families, the Office of Hawaiian Affairs and Alu Like to provide transitional services to help them locate housing and other services.

Up until March 2008 DLNR believed it could issue new leases if one or more of the 31 families lost a lease. When 3 leases defaulted, DLNR received applications from 12 families who qualified for leases. DLNR was allowing the six families to stay while it determined if any of them were eligible for a new lease. In March 2008 DLNR was notified it has no legal authority to issue any new leases, and instructed all applicants that they could not receive a lease.

The Legislature had declined to change the law during three separate sessions, in 2005, 2007 and 2008. At that point, DLNR notified the six families they needed to move. Notices to vacate were issued to all affected families once DLNR received advice from the Attorney General in 2008.

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For more information news media may contact:  
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